IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

APPEAL FROM ORDER No 61 of 1991

For Approval and Signature:

HON'BLE MR.JUSTICE K.S.JHAVERI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

CHUNALA MEGHJIBHAI HARIBHAI

Versus

CHUNALA BHURABHAI CHATURBHAI

Appearance:

1. Appeal from Order No. 61 of 1991

MR SURESH M SHAH for Appellant No.

MR MEHUL S SHAH for Appellant No.

MR MD RANA for Respondent No. 1

CORAM : HON'BLE MR.JUSTICE K.S.JHAVERI

Date of decision: 13/01/2005

ORAL JUDGEMENT

1. The appellant has preferred this appeal from order against the order dated 17/01/1991 passed below application Exh.5 by the learned Civil Judge (S.D.), Junagadh, in Special Civil Suit No.89 of 1990.

2. While admitting this Appeal from Order, this Court in Civil Application No.856 of 1991 had directed the parties to maintain status quo. Now, since status quo is operating since 1991, it would be appropriate to direct the parties to maintain status quo till the suit pending before the said Court is finally disposed of.

3. I have heard learned counsel for the parties and have perused the relevant documents on record. In view of the facts and circumstances of the case, I am of the opinion that ends of justice would be met if the trial Court is directed to expedite the hearing of the said suit since the suit is of the year 1991.

4. Therefore, without entering into the merits of the matter, the trial Court is directed to hear and dispose of Special Civil Suit No.89 of 1990 pending before the Court of the learned Civil Judge (S.D.), Junagadh, as expeditiously as possible and preferably within a period of six months from the date of receipt of writ of this order.

5. With the above observations and directions, the Appeal from Order stands disposed of. Parties are directed to maintain status quo till the said suit is finally disposed of.

[K. S. JHAVERI, J.]
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